IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
Plaintiff,)	8:16CR256
vs.)	
ALAN RUSSELL,)	ORDER
Defendant)	

This matter is before the court on the Plaintiff's unopposed Motion to Continue Trial [97]. The plaintiff is seeking a continuance of the trial as co-counsel will be out of the office on leave through August 29, 2017. Defendants have complied with NECrimR 12.1(a). For good cause shown,

IT IS ORDERED that the unopposed Motion to Continue Trial [97] is granted as follows:

- 1. The jury trial, now set for August 15, 2017 is continued to August 29, 2017.
- 2. The defendants have filed the affidavit required by paragraph 9 of the progression order and NE.CrimR 12.1(a) forthwith.
- 3. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and July 25, 2017**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

DATED June 16, 2017.

BY THE COURT:

s/ Susan M. Bazis United States Magistrate Judge